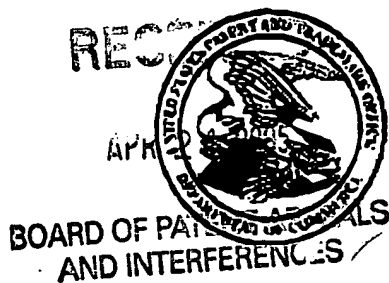


#25
waiver
(4-22-05)
YCS



United States Patent and Trademark Office

Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

LEXMARK INTERNATIONAL, INC.
INTELLECTUAL PROPERTY LAW
DEPARTMENT
740 WEST NEW CIRCLE ROAD
BLDG. 082-1
LEXINGTON, KY
40550-0999

Appeal No: 2005-0357
Appellant: Sherry Anthony Cook et al.
Application No: 09/610,081
Hearing Room: A
Hearing Docket: B
Hearing Date: Tuesday, May 03, 2005
Hearing Time: 01:00 PM
Location: Madison Building - East Wing
600 Dulany Street, 9th Floor
Alexandria, Virginia 22313-1450

MAILED

MAR 24 2005

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES

NOTICE OF HEARING CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced. If there are any inquiries, please contact the Clerk of the Board at 571-272-9797.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED. This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

BPAI HEARINGS FAX No: (571) 273-0299

USPTO Central Fax No: (703) 872-9306

BPAI Mailing Address: BOARD OF PATENT APPEALS AND INTERFERENCES
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VIRGINIA 22313-1450

In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE: () HEARING ATTENDANCE CONFIRMED (X) HEARING ATTENDANCE WAIVED

Signature of Attorney/Agent/Appellant

Date

Registration No.

Names of other visitors expected to accompany counsel:

For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see
http://www.uspto.gov/web/offices/dcm/hq/dca/comm/commnet_info.htm

Dinsmore & Shohl LLP
ATTORNEYS

FACSIMILE TRANSMITTAL

April 21, 2005

from **GEOFFREY L. OBERHAUS**

Direct: 513-977-8623 / Fax: 513-977-8141 / geof.oberhaus@dinslaw.com

To: Carolyn L. Moskey

Firm: Patent and Trademark Office

Fax Number: 571-273-0299

Client Number:

Pages: 2
(including cover)

Comments:

RECEIVED

APR 21 2005

BOARD OF PATENT APPEALS
AND INTERFERENCES

If there are any problems in receiving this transmission, please call the fax room at (513) 977-8483 immediately. Thank you.

Notice

This message is intended only for the use of the individuals or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this notice is not the intended recipient or the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this notice in error, please notify us immediately by telephone and return these papers to us at the address below via first class mail.

Confirmation Report - Memory Send

Time : Apr-21-2005 15:09
Tel line : +97033086199
Name : USPTO BPAI

Job number : 436
Date : Apr-21 15:08
To : 915139778141
Document pages : 002
Start time : Apr-21 15:08
End time : Apr-21 15:09
Pages sent : 002
Status : OK

Job number : 436

*** SEND SUCCESSFUL ***

Date: April 21, 2005
From: Carolyn L. Moskey
Patent and Trademark Office
To: Geoffrey L. Oberhaus
Dinsmore & Shohl, LLP
Subj: CONFIRMATION/WAIVER OF ORAL HRG. FOR ATTY. DOCKET NO.
LE9-00-045 (APPLICATION NO. 09/610,081)

Per our telephone conversation, attached is a copy of the Notice of Hearing, which is scheduled for Tuesday, May 3, 2005 at 1:00 p.m.

Please fax to me your confirmation/waiver to (571) 273-0299. Thanks!